

SHER TREMONTE LLP

October 10, 2024

VIA ECF

The Honorable Colleen McMahon
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Re: ***United States v. Rui-Siang Lin***
Case No. 24-CR-178 (CM)

Dear Judge McMahon:

We represent Rui-Siang Lin, the defendant in the above-reference matter. As Your Honor knows, we have had considerable difficulty getting the MDC to allow Mr. Lin to access his discovery. Thanks to the intervention of the government following the last court conference, Mr. Lin is now in possession of the drives that he was sent which contain the discovery in his case. Now that he has them, however, an additional problem has arisen: he has determined that much of the discovery must be viewed with software that is not available on the MDC computers, either in Mr. Lin's unit or in the education department. Accordingly, the MDC has advised that the only way Mr. Lin can view these portions of the discovery is with a laptop provided by counsel.¹

Our firm has a laptop that it is prepared to provide to the government so that it can load the discovery on it for Mr. Lin's use. The MDC sent the government a proposed court order that it advises is required in order to allow Mr. Lin to use the laptop in the visiting room. We attach that proposed order to this letter. We note that while the laptop would be available for Mr. Lin's use Monday to Friday from 8 a.m. to 3 p.m. (*i.e.*, 35

¹ We note that on August 5, 2024, we advised the government by email that we believed it would be necessary to provide Mr. Lin with a laptop given the large volume of discovery. By email dated August 7, 2024, the government stated that both it and the MDC opposed the provision of a laptop to Mr. Lin. After raising the discovery problems with the Court and with the government, on October 2, 2024, the government told us that the MDC now suggests we provide a laptop to Mr. Lin. In the meantime, two months passed with our client having severely limited access (and at times no access) to the evidence in his case.

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hours per week), paragraph 4 of the MDC's proposed order allows Mr. Lin to use the laptop for only 15 hours a week, which the MDC told the government is the maximum.

We have serious concerns about whether a maximum of 15 hours per week will allow Mr. Lin sufficient time to review the discovery given its staggering volume. Accordingly, we respectfully request that the Court so-order the propose order with the modification that Mr. Lin be able to access the laptop whenever it is available in the visiting room, from Monday to Friday between the hours of 8 a.m. and 3 p.m.

We appreciate the Court's consideration.

Respectfully submitted,

/s/Noam Biale

Noam Biale
Katie Renzler

Attorneys for Rui-Siang Lin

cc: AUSA Ryan Finkel (by ECF)
AUSA Nick Chiuchiolo (by ECF)